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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,581	01/05/2001	Nobumasa Miyake	450100-02939	3808
20999	7590	06/10/2005	EXAMINER	
FROMMERM LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			BRUCKART, BENJAMIN R	
		ART UNIT		PAPER NUMBER
		2155		

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

	Application No.	Applicant(s)
	09/755,581	MIYAKE ET AL.
Examiner	Art Unit	
Benjamin R. Bruckart	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 03 March 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-9 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-9 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

Detailed Action

Status of Claims:

Claims 1-9 are pending in this Office Action.

Response to Arguments

Applicant's arguments filed 3/3/05 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,314,516 by Cagle et al.

Regarding claim 1, a method of setting up an Internet server (Cagle: col. 2, lines 66- col. 3, line 7), comprising the steps of:

receiving by an Internet service provider, from a client, information on a connecting environment of said Internet server; (Cagle: col. 6, lines 24-35; the request is the information); generating by the Internet service provider, setup information for said connecting environment to enable said Internet server to be connected to the Internet according to the information (Cagle: col. 6, lines 24-35; col. 7, lines 20-25; servicing the request through the disk or the download; with profile settings like username and password); and

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storing by the Internet service provider, said setup information in a storage medium (Cagle: col. 6, lines 24-35),

wherein said setup information allows the client to have said Internet server set up for Internet access upon installation of said storage medium (Cagle: col. 6, lines 28-45); and

wherein said setup information stored on said storage medium is updated when a setting processing procedure detects a change to said setup information (Cagle: col. 7, lines 46-58).

Regarding claim 2, the method of setting up an Internet server according to claim 1, wherein said setup information includes at least one IP address of said Internet server, host name and domain name of a client (Cagle: col. 6, lines 47- col. 7, line 34).

Regarding claim 3, the method of setting up an Internet server according to claim 1, wherein

said storage medium stores a unique password pertaining to said Internet server that enables setup processing for said Internet server when said password matches an initial password which is set up in said Internet server (Cagle: col. 5, lines 50-65).

Regarding claim 4, a method of setting up an Internet server (Cagle: col. 2, lines 66- col. 3, line 7), comprising the steps of:

receiving by an Internet service provider, from a client, information on a connecting environment of said Internet server (Cagle: col. 6, lines 24-35; the request is the information);

accessing said Internet server and a storage medium related to said Internet server (Cagle: col. 6, lines 25-45); and

performing set up processing to connect said Internet server to the Internet by installing said storage medium on the Internet server (Cagle: col. 6, lines 28-45),

wherein information stored by the Internet service provider, in said storage medium is information that pertains to a connecting environment of said Internet server (Cagle: col. 6, lines 28-45) and is updated when a setting processing procedure detects a change to the information (Cagle: col. 7, lines 46-58).

Regarding claim 5, a method of setting an information communication apparatus for connecting to a network (Cagle: col. 2, lines 66- col. 3, line 7), said method comprising:

a first step of storing in a storage medium of an Internet service provider, setting information for connecting said information communication apparatus to said network in a use environment of said information communication apparatus on the side of a client (Cagle: col. 6, lines 24-35); and

a second step of reading said setting information from said storage medium to initialize the connection of said information communication apparatus to said network upon installation of said storage medium on said information communication apparatus (Cagle: col. 6, lines 28-35) and updating the setting information when a setting processing procedure detects a change in the setting information (Cagle: col. 6, lines 28-45);

wherein said setting information is received at a different location than the information communication apparatus initializes a connection to said network upon installation of said storage medium (Cagle: col. 6, lines 25-45; col. 5, lines 50-65; col. 7, lines 46-58).

Regarding claim 6, the method of setting an information communication apparatus according to claim 5, wherein

 said first step stores a unique password in said storage medium together with said setting information (Cagle: col. 5, lines 50-65); and

 said second step compares said password with a password previously set in said information communication apparatus (Cagle: col. 5, lines 50-65), and connects said information communication apparatus to said network when said password matches the password previously set in said information communication apparatus (Cagle: col. 5, lines 50-65).

Regarding claim 7, the method of setting an information communication apparatus according to claim 6, wherein

 said storage medium comprises a semiconductor memory removable mounted to said information communication apparatus (Cagle: col. 6, lines 24-35).

Regarding claim 9, a method of setting up a network server (Cagle: col. 2, lines 66- col. 3, line 7) comprising the steps of:

 receiving, by an Internet service provider, from a client, information on connection environment relating to said network server (Cagle: col. 6, lines 24-35; the request is the information);

 generating by the Internet service provider, setup information for said connecting environment to enable said network server to be connected to the network according to the information (Cagle: col. 6, lines 24-35; col. 7, lines 20-25; servicing the request through the disk or the download; with profile settings like username and password); and

 storing by the Internet service provider, said setup information in a storage medium (Cagle: col. 6, lines 24-35),

 wherein said setup information allows the client to have said network server set up for network access upon installation of said storage medium (Cagle: col. 6, lines 28-45), and

 wherein said setup information stored on said storage medium is updated when a setting processing procedure detects a change to said setup information (Cagle: col. 7, lines 46-58).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,314,516 by Cagle (herein after referred to as REF_A) in view of U.S. Patent No. 6,543,004 by Cagle et al (herein after referred to as REF_B).

Regarding claim 8,

REF_A teaches the method of setting up an Internet server according to claim 1.

REF_A does not explicitly state automatically performing processing upon changes but does teach the administrator manually making changes and upon confirmation doing the configuration (REF_A Cagle: col. 7, lines 46-58).

REF_B teaches setting processing procedure is performed automatically upon detection of the change of said setup information (REF_B Cagle: col. 6, lines 8-13 and lines 38-44).

REF_B further teaches the invention minimizes the time required to fully replace a server and reduces the effects of the faulty server (REF_B Cagle: col. 1, lines 63- col. 2, line 8).

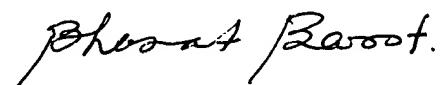
Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of setting up an Internet server as taught by Cagle (REF_A) while automatically processing and saving changes as taught by Cagle (REF_B) in order to minimize the time required to fully replace a server and reduces the effects of the faulty server (REF_B Cagle: col. 1, lines 63- col. 2, line 8).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number 571-272-3982. The examiner can normally be reached on 8:00-5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-3982.



**BHARAT BAROT
PRIMARY EXAMINER**

Art Unit: 2155

Benjamin R Bruckart

Examiner

Art Unit 2155

brb

BnB